

SECTION 3  
OVERSIGHT OF INTELLIGENCE  
ORGANIZATIONS

3-1. President's Foreign Intelligence Advisory Board.

3-101. Duties. There is hereby established within the Executive Office of the President the President's Foreign Intelligence Advisory Board, hereinafter referred to as the "Board." The Board shall:

(a) advise the President concerning measures to support and improve the performance of the Intelligence Community;

(b) advise the President concerning the objectives, conduct, management and coordination of the various activities comprising the overall national intelligence effort;

(c) conduct a continuing review and assessment of intelligence and related activities in which the Intelligence Community and other Government departments and agencies are engaged;

(d) receive, consider and take appropriate action with respect to matters identified to the Board by the Director of Central Intelligence and the heads of other Government departments and agencies of the Intelligence Community, in which the support of the Board will further the effectiveness of the national intelligence effort; and

(e) report to the President periodically, but at least semiannually, concerning the Board's findings and appraisals, and make appropriate recommendations for actions to achieve increased effectiveness of the Government's intelligence effort in meeting national intelligence needs.

3-102. Membership. Members of the Board shall be appointed by the President from among persons outside the Government, qualified on the basis of knowledge and experience in matters relating to the national defense and security, or possessing other knowledge and abilities which may be expected to contribute to the effective performance of the Board's duties. One member of the Board shall be designated by the President as chairman. The members of the Board shall receive such compensation and allowances, consonant with law, as may be prescribed hereafter.

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3-103. Intelligence Oversight Committee. Three members of the Board shall be designated by the President as the Board's Intelligence Oversight Committee (IOC). The IOC shall:

(a) review periodically the practices and procedures of the Inspectors General and General Counsel with responsibilities for agencies within the Intelligence Community for discovering and reporting to the IOC intelligence activities that raise serious questions of legality and propriety, and consider written and oral reports submitted by them concerning such activities;

(b) review periodically for adequacy the internal guidelines of each agency within the Intelligence Community concerning the legality or propriety of intelligence activities;

(c) report in a timely manner to the President concerning any intelligence activities that any member of the Committee believes are a violation of the Constitution or laws of the United States, Executive Order, or Presidential Directive, or are a serious impropriety;

(d) forward to the Attorney General, in a timely manner, reports received concerning intelligence activities in which a serious question of legality has been raised or which the IOC believes to involve serious questions of legality; and

(e) conduct such reviews of the practices and activities of agencies within the Intelligence Community as the Committee deems necessary to carry out its functions under this Order.

3-2. Inspectors General and General Counsel. Inspectors General and General Counsel with responsibility for agencies within the Intelligence Community shall:

3-201. Transmit timely reports to the IOC concerning any intelligence activities that come to their attention and that raise serious questions of legality or propriety;

3-202. Promptly report to the IOC actions taken concerning the Board's findings on intelligence activities that raise serious questions of legality or propriety;

3-203. Provide to the IOC information requested concerning the legality or propriety of intelligence activities within their respective agencies;

3-204. Formulate practices and procedures for discovering and reporting to the IOC intelligence activities that raise serious questions of legality or propriety; and

3-205. Report to the Board by the Director of Central Intelligence or the Inspectors General or General Counsel were directed not to report any intelligence activity to the IOC which they believed raised serious questions of legality or propriety.

3-3. Attorney General. The Attorney General shall:

3-301. Receive and consider reports from agencies within the Intelligence Community forwarded by the IOC;

3-302. Report to the President in a timely fashion any intelligence activities which the Attorney General determines violate the Constitution or laws of the United States, Executive Order, or Presidential Directive;

3-303. Report to the IOC and to the President in a timely fashion decisions made or actions taken in response to reports from agencies within the Intelligence Community forwarded to the Attorney General by the IOC; and

3-304. Inform the IOC of legal opinions affecting the operations of the Intelligence Community.

3-4. Responsibilities of Heads of Departments and Agencies. In order to facilitate performance of the Board's functions, the Director of Central Intelligence and the heads of all other departments and agencies shall make available to the Board all information with respect to intelligence and related matters which the Board may require for the purpose of carrying out its responsibilities to the President in accordance with the terms of this Order. Such information made available to the Board shall be given all necessary security protection in accordance with the terms and provisions of applicable laws and regulations.

3-5. Staff. The Board shall have a staff headed by an executive secretary, who shall be appointed by the President and shall receive such compensation and allowances, consonant with law, as may be prescribed by the Board. The executive secretary shall be authorized, subject to the approval of the Board and consonant with law, to appoint and fix the compensation of such staff personnel as may be necessary for performance of the Board's duties. No person who serves on the Board or its staff shall have any contractual or employment relationship with any agency within the Intelligence Community.

3-6. Compensation and Allowances. Compensation and allowances of the Board, the executive secretary and members of the staff, together with other expenses arising in connection with the work of the Board, shall be paid from the appropriation appearing under the heading "Unanticipated Needs" in the Executive Office Appropriations Act, 1980, Pub. L. 96-74, 93 Stat. 565, and, to

the extent permitted by law, from any corresponding appropriation which may be made for subsequent years. Such payments shall be made without regard to the provisions of §3681 of the Revised Statutes and §9 of the Act of March 4, 1909, 35 Stat. 1027 (31 U.S.C. 672 and 673).

3-7. Congressional Oversight. The duties and responsibilities of the Director of Central Intelligence and the heads of other departments, agencies, and entities engaged in intelligence activities to cooperate with and assist the Congress in the conduct of its responsibilities for oversight of intelligence activities shall be as provided in title 50, United States Code, §413.